

United States Department of Agriculture Animal and Plant Health Inspection Service Plant Protection & Quarantine 4700 River Road Riverdale, MD 20737

# Permit to Move Live Plant Pests, Noxious Weeds, and Soil

Importation

## Regulated by 7 CFR 330

This permit was generated electronically via the ePermits system			
PERMITTEE NAME:	Erika Rohr Luke	PERMIT NUMBER:	P526P-18-01274
ORGANIZATION:	Marrone Bio Innovations	APPLICATION NUMBER:	P526-180102-052
ADDRESS:	1490 and 1530 Drew Avenue	FACILITY NUMBER:	N/A
	Davis, CA 95618		
MAILING ADDRESS:	1530 Drew Avenue	HAND CARRY:	No
	Davis, CA 95618		
		DATE ISSUED:	04/09/2018
PHONE:	530-750-2800	DATE AMENDED:	12/18/2019
FAX:		EXPIRES:	04/09/2021
	1490 and 1530 Drew Avenue, Davis, C.		· · · · · · · · · · · · · · · · · · ·

**DESTINATION:** 1490 and 1530 Drew Avenue, Davis, CA

95618

**DESIGNATED PORTS:** CA, El Segundo; CA, South San

Francisco

Under the conditions specified, this permit authorizes the following:					
Regulated Article	<u>Life</u> Stage(s)	Intended Use	Shipment Origins	Originally Collected	Culture  Designation
Beauveria bassiana	Any	Research - Greenhouse (growth chamber and lab included)	New Zealand	Originally Collected from Outside the U.S. and Territories	isolate and formulation prototypes
Brevibacillus laterosporus	Any	Research - Greenhouse (growth chamber and lab included)	New Zealand	Originally Collected from Outside the U.S. and Territories	isolate and formulation prototypes
Epicoccum purpurascens	Any	Research - Greenhouse (growth chamber and lab included)	New Zealand	Originally Collected from Outside the U.S. and Territories	isolate and formulation prototypes

## SPECIAL INSTRUCTIONS TO INSPECTORS

See permit conditions below

#### DHS CBP INSPECTORS - SHIPMENT BY BONDED CARRIER

- 1) Confirm that the carrier of the shipment imported under this USDA PPQ 526 permit is commercially bonded.
- 2) Confirm that the imported shipment has a valid USDA PPQ Form 599 Red/White label attached to the exterior for routing to a USDA APHIS PPQ Inspection Station or other "Designated Port" as stated on the Permit. A valid label will have the permit number, expiration date, label number, and address of

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WARNING: Any alteration, forgery or unauthorized use of this Federal Form is subject to civil penalties of up to \$250,000 (7 U.S.C.s 7734(b)) or punishable by a fine of not more than \$10,000, or imprisonment of not more than 5 years, or both (18 U.S.C.s 1001)



a USDA APHIS PPQ Plant Inspection Station/Designated Port. PLEASE NOTE: In the event of a shipment of bulk container with discrete units, a single PPQ Form 599 Red/White label may be used.

- 3) Validate the permit in ePermits using the CBP search feature.
- 4) If a valid PPQ Form 599 Red/White label is not attached to the exterior of the package or the label has been covered or is otherwise not legible, then forward to the nearest USDA APHIS PPQ Plant Inspection Station.
- 5) If the address on the airway bill does not match the address on the PPQ Form 599 Red/White label then forward the package to the nearest USDA APHIS PPQ Plant Inspection Station/designated port shown on the PPQ Form 599 label. All costs associated with rerouting misaddressed packages will be assumed by the permit holder.

## APHIS PPQ INSPECTORS at PIS - Low Risk

Follow the instructions in the Plant Inspection Station Manual for Low Risk Organisms - Arthropods or Microbials Red and White Labeled Packages (may be opened outside a biosafety cabinet; see procedures for handling on page 3-7-42). For questions or concerns, contact USDA APHIS PPQ in Riverdale, MD, at 301-851-2046, toll free 866-524-5421.

## PERMIT GUIDANCE

- 1) Receipt or use of foreign isolates or samples from countries under sanctions requires specific permission from the U.S. Department of Treasury; please refer to <a href="https://www.treasury.gov/resource-center/sanctions/Programs/Pages/Programs.aspx">https://www.treasury.gov/resource-center/sanctions/Programs/Pages/Programs.aspx</a>
- 2) This permit does not authorize importation, interstate movement, possession, and/or use of strains of genetically engineered regulated materials/organisms (created by the use of recombinant DNA technology).
- 3) If an animal pathogen is identified in your shipment, to ensure appropriate safeguarding, please refer to <a href="http://www.aphis.usda.gov/import">http://www.aphis.usda.gov/import</a> export/animals/animal import/animal imports an approducts.sh tml
- 4) If a human pathogen is identified, please refer to the CDC Etiologic Agent Import Permit Program at <a href="http://www.cdc.gov/od/eaipp/">http://www.cdc.gov/od/eaipp/</a>
- 5) This permit does not fulfill the requirements of other federal or state regulatory authorities. Please contact the appropriate agencies, such as the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service, the U.S. Food and Drug Administration, the Centers for Disease Control and Prevention, the APHIS Veterinary Services unit, the APHIS Biotechnology Regulatory Services, or your State's Department of Agriculture to ensure proper permitting.
- 6) If you are considering renewal of this permit, an application should be submitted at least 90 days prior to the expiration date of this permit to ensure continued coverage. Permits requiring containment facilities may take a longer period of time to process.

#### PERMIT CONDITIONS

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USDA-APHIS issues this permit to Erika Rohr Luke, Marrone Bio Innovations, 1490 and 1530 Drew Avenue, Davis, CA 95618. This permit authorizes the importation of any life stages (cultures) of Beauveria bassiana, Brevibacillus laterosporus and Epicoccum purpurascens from New Zealand by the permit holder, Erika Rohr Luke, Marrone Bio Innovations, 1490 and 1530 Drew Avenue, Davis, CA 95618, for research in the laboratory facilities and greenhouse facilities at that location (laboratory facilities predominantly at 1490 Drew Ave).

This permit authorizes the possession and culture of isolates of these three species received as authorized under this permit for research at the Marrone Bio Innovations, 1490 and 1530 Drew Avenue, Davis, CA 95618, subject to the additional conditions below.

1.

- This permit is issued by the United States Department of Agriculture's Animal and Plant Health Inspection Service (APHIS). It conveys APHIS regulations and requirements for the material(s) listed on this permit. It does not reduce or eliminate your legal duty and responsibility to comply with all other applicable Federal and State regulatory requirements.
- The permit number or a copy of the permit must accompany the shipment.
- You must be an individual at least 18 years old, or legal entity such as partnership, corporation, association, or joint venture.
- You are legally responsible for complying with all permit requirements and permit conditions.
- The regulated material and shipping container(s) are subject to inspection by officials of Custom and Border Protection (CBP) and APHIS. CBP or APHIS officials may require the shipment to be treated, seized, re-exported, or destroyed (in part or whole). You will be responsible for expenses.
- If you violate any applicable laws associated with this permit, you may face substantial civil or criminal penalties. We may cancel all current permits and deny future permit applications.
- Without prior notice and during reasonable hours, authorized Federal and State Regulators must be allowed to inspect the conditions associated with the regulated materials/organisms authorized under this permit.

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#### 2. The permit holder must:

- maintain a valid PPQ526 permit so long as the regulated materials/organisms are alive or viable,
- not assign or transfer this permit to other persons without APHIS PPQ authorization,
- maintain an official permanent work assignment, residence, or affiliation at the address on this permit,
- notify the Pest Permit Staff as soon as possible of any change in the permit holder's work assignment, residence, or affiliation,
- notify the Pest Permit Staff of the receipt of unauthorized and/or misdirected shipments of regulated materials/organisms,
- adequately mitigate environmental impacts resulting from unauthorized release of regulated materials/organisms and notify the Pest Permit staff immediately if one occurs,
- notify the Pest Permit Staff if the facility is damaged/destroyed or if you wish to decommission the facility,
- destroy all regulated materials/organisms prior to departure from the organization unless other arrangements are confirmed by the Pest Permit Staff.

Notifications to the Pest Permit Staff must be made via 866-524-5421 or pest.permits@aphis.usda.gov within one business day of the event triggering a notification.

3. This permit does not authorize movement or use of plant pathogens listed in the Public Health Security and Bioterrorism Preparedness and Response Act of 2002. If any organism listed as a Select Agent is identified from materials associated with this research, the permit holder is required to notify APHIS, Agriculture Select Agent Services (AgSAS) immediately by phone at 301-851-3300 option 3, and within seven (7) days submit APHIS/CDC Form 4A (Report of Identification of a Select Agent or Toxin in a Clinical or Diagnostic Laboratory) to APHIS, AgSAS; 4700 River Rd, Unit 2, Riverdale, MD 20737 (see instructions at: https://www.selectagents.gov/resources/APHIS-CDC\_Form\_4\_Guidance\_Document.pdf). Failure to comply with this requirement is a violation of the Agricultural Bioterrorism Protection Act of 2002. Plant pathogen select agents currently listed include: *Peronosclerospora philippinensis* 

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(Peronosclerospora sacchari), Conothyrium glycines (formerly Phoma glycinicola and Pyrenochaeta glycines), Ralstonia solanacearum, Rathayibacter toxicus, Sclerophthora rayssiae, Synchytrium endobioticum, and Xanthomonas oryzae.

- 4. All packages for transport must minimally consist of both inner/primary and outer/secondary packages securely sealed so that both are effective barriers to escape or unauthorized dissemination of the listed materials/organisms. The inner/primary package(s) will contain all regulated materials/organisms and must be cushioned and sealed in such a way that it remains sealed during shock, impact, and pressure changes that may occur. The outer/secondary shipping container must be rigid and strong enough to withstand typical shipping conditions (dropping, stacking, impact from other freight, etc.) without opening.
- 5. After PPQ issues this 526 permit, you will need to request Red/White labels (PPQ Form 599) at least 5 days in advance of your shipping date. If you applied for your permit online using ePermits, you may request the labels using the My Shipments/Labels feature. Otherwise, send your request to Redandwhitelabelrequest@aphis.usda.gov. All email requests must come from the permit holder or designee. If requested by the designee, the permit holder must be copied on all requests. Specify the approved port as listed on the permit and the total number of labels needed. You may request additional labels the same way.

Packages without labels on the exterior may be refused entry.

#### Review label instructions at:

 $https://www.aphis.usda.gov/aphis/ourfocus/planthealth/import-information/permits/regulated-organism-and-soil-permits/ct_organisms-shipping-requirements.\\$ 

You are responsible for instructing your shipper to carefully follow these instructions. You are responsible for each import shipping label issued under this permit.

6. The regulated organisms authorized for import under this permit are to be maintained only in the laboratory area and greenhouse facilities at Marrone Bio Innovations, 1490 and 1530 Drew Avenue, Davis, CA 95618. Distribution or dissemination to other sites beyond/outside this location requires a separate prior authorization from APHIS PPQ (a PPQ Permit), or amendment to this permit.

Procedures must be in place to retain the regulated organisms (permitted cultures), media, and substrate exposed to the cultures and inoculum during testing and screening, such as soil, pots, and plants and subject all such materials, inoculum, and cultures of the species imported under this permit to procedures which will effectively devitalize the organisms and or properly dispose of these items as per adopted and approved laboratory protocols.

This permit does not authorize field release, interstate transport, field research, or other such activities in the natural environment with the regulated organisms authorized under this permit.

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- 7. All activities and procedures must be conducted in restricted access areas not accessible to unauthorized persons through locking (key, key card, or code) of areas, rooms, and associated equipment and storage areas where the organisms, or preparations containing the organisms are kept or other effective method of restriction.
  - The permit holder must insure that all persons working with these regulated organisms are informed of these permit conditions and understand the requirement to adhere to these conditions.
- 8. Upon completion of research, or expiry of this permit, all remaining viable samples of this the regulated article shall be adequately and properly devitalized.

## **END OF PERMIT CONDITIONS**

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